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1761
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Case 8305M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of Heisey et al. : Confirmation No. 7478
Serial No. 09/982,004 : Group Art Unit: 1761
Filed: October 18, 2001 : Examiner: Tran Lien, Thuy
For FILLED SNACKS

RESPONSE TO RESTRICTION REQUIREMENT DATED 9/30/03

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated 9/30/03 in the above-identified patent application. The Examiner is respectfully requested to reconsider the application in view of the following remarks. Applicants hereby traverse the Restriction Requirement made by the Examiner and provisionally elect claims 1-3 and 8-9 for examination in the present application. Applicants reserve the right to file a petition from requirement for restriction pursuant to 37 C.F.R. 1.144.

Remarks begin on page 2 of this paper.